

Remarks

Claims 1-22 are pending in the present application. Claims 2 and 3 are objected to because various informalities.

Independent claims 1 and 12 are amended to include the step “measuring the speed of the engine speed and the engine status as being turned on.” Claim 1 is further amended such that the engine speed is measured only “if the speed of the engine is greater than a predetermined engine speed or if the engine is turned.” Similarly, claim 12 is further amended such that the engine speed is measured only “if the speed of the engine is greater than 600 rpm or if the engine is turned.” Similarly, claim 19 is amended to replace “a vehicle speed monitor” with “a control unit which senses the engine status and the vehicle speed.” Claim 19 is further amended such that fan controller increases the duty cycle of the fan when the vehicle is at a predetermined speed and when the engine status is such that the engine is turned on. No new matter is added by these amendments.

New claim 23 and 24 are presented for examination. Claim 1 provides a value of 600 rpm for the predetermined engine speed.

1. Claim Objections

Claims 2 and 3 are objected to because claim 3 depends from itself and claim 2 depends from claim 3.

Claims 2 and 3 have been amended to depend from claim 1 thereby rendering the claim objections moot.

2. **Claim rejections under 35 U.S.C. 102(e)**

Claims 1-17 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito.

Applicant respectfully traverses this rejection for the reasons set forth above. Applicants have amended independent claims 1, 12, and 19 to further distinguish the present invention from Saito. Specifically, independent claims 1 and 12 are amended to include the step “measuring the speed of the engine speed and the engine status as being turned on.” Saito does not consider engine speed or status in any of its temperature controlling schemes. As set forth above, claims 1 and 12 are further amended such that the engine speed is measured only if the speed of the engine is greater than a predetermined engine speed or if the engine is turned. Saito does not provide such a limitation or condition for measuring the vehicle speed. Accordingly, independent claims 1 and 12 are patentable over Saito.

Independent claim 19 is also patentable over Saito for analogous reasons. Amended claim 19 includes “a control unit which senses the engine status and the vehicle speed.” Moreover, information from this control unit is utilized by the fan controller in that “the duty cycle of the fan when the vehicle is at a predetermined speed and when the **engine status is such that the engine is turned on.**” Saito does not include such a control unit and does not utilize information obtained from such a unit to control a fan controller. Accordingly, independent claim 19 is patentable over Saito.

Dependent claims 2-11, 13-17 and 13-22 are allowable since each depends from an independent claim that has now been shown allowable. Accordingly, Applicants respectfully request notice as to the allowability to the claims pending in the present case.

2. Claim rejections under 35 U.S.C. 102(e)

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al.

Independent claim 12 from which claim 18 depends is amended to include limitations that clearly distinguish the present invention from Saito. Accordingly, claim 18 is allowed without consideration of the Examiner's statement regarding the rejection under 103(a).

Conclusion

Applicants have made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If a telephone or video conference would help expedite allowance or resolve any additional questions, such a conference is invited at the Examiner's convenience.

Applicants believe that no additional fees are required as a result of the filing of this paper. However, the Examiner is authorized to charge any additional fees or credits as a result of the filing of this paper to Ford Global Technologies, Inc.'s Deposit Account No. 06-1510 as authorized by the original transmittal letter in this case. If a telephone or video conference would help expedite allowance or resolve any additional questions, such a conference is invited at the Examiner's convenience.

Respectfully submitted,
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